



10-12-05  
Petitioner's Docket No. 1012-166C2

DAE  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Damian Hajduk

Application No.: 10/712,617

Group No.: 2856

Filed: 11/12/2003

Examiner: Larkin, Daniel

For: RHEOMETER FOR RAPIDLY MEASURING SMALL QUANTITY SAMPLES

**Mail Stop Petition**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria VA 22313-1450**

**RENEWED PETITION UNDER 37 C.F.R. §1.137(b)**

1. This renewed petition is being submitted within two months of September 26, 2005, the mailing of Decision on Petition of an initial petition requesting revival. That petition was dismissed as being incomplete as a proper reply was not submitted with the petition. The renewed petition contains the required reply.
2. This application became abandoned on July 28, 2005.
3. This application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition was unintentional 37 C.F.R. §1.137(b)(3).

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

G with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

G as "Express Mail Post Office to Addressee"  
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**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_.

Signature

*Roni L. Masquelier*

Date: 10.13.05

Roni L. Masquelier

*(type or print name of person certifying)*

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. Reply

A reply to the January 12, 2005 office action is submitted herewith along with the requested drawings.

5. Fee (37 C.F.R. § 1.17(m))

The Applicant is other than a small entity — fee \$1,500.00.

6. Fee Payment

The fee for the original petition has already been paid by a charge to Deposit Account No. 50-1097. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

7. Terminal Disclaimer

A terminal disclaimer is not required because this application was filed after June 8, 1995.

Date: October 13, 2005



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